## IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF NORTH CAROLINA ASHEVILLE DIVISION 1:15cv47

MIKE SMITH BUILDERS, LLC	)	
	)	
Plaintiff,	)	
<b>v.</b>	)	
	)	ORDER
DANIEL D. PECK, et al.,	)	ORDER
Defendants.	)	
	)	

Previously, the Court entered a Pretrial Order setting the discovery deadline in this case for November 1, 2015, and the mediation deadline for November 15, 2015. (Order, Mar. 24, 2015.) Trial is set for May 2, 2016. The parties have now filed a Stipulation to Modify Discovery and Mediation Deadlines [# 12]. The Stipulation seeks a discovery deadline of March 31, 2016 and a mediation deadline of April 15, 2016.

As a threshold matter, the parties may not alter the deadlines in the Pretrial Order through the filing of a stipulation. Rather, the parties must seek any such extensions through the filing of a motion seeking an extension of the dates set forth in the Court's Pretrial Order. Moreover, the Court will not grant the parties the extension sought as they have failed to demonstrate why such a lengthy extension

of the approximately eight month discovery period is necessary in this case.

Signed: June 17, 2015

Dennis L. Howell

United States Magistrate Judge

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